

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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NICK WILLIAM SCHALLER, SR,

Petitioner,

v.

DR. G. HEINZL and  
DR. REYNOLDS,

Respondents.  
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ORDER

08-cv-403-bbc

Petitioner Nick Schaller, a prisoner at the New Lisbon Correctional Institution in New Lisbon, Wisconsin, has submitted a proposed complaint. He requests leave to proceed in forma pauperis. A decision on the request will be delayed until petitioner pays an initial partial payment of the \$350 filing fee as required by 28 U.S.C. § 1915(b) and the 1996 Prison Litigation Reform Act. Petitioner's initial partial payment cannot be calculated at this time because he has not submitted a trust fund account statement with his complaint.

Petitioner's complaint was submitted on July 10, 2008. His trust fund account statement should cover the six-month period beginning approximately January 14, 2008 and ending approximately July 14, 2008. Once petitioner has submitted the necessary

statement, I will calculate his initial partial payment and advise him of the amount he will have to pay before the court can screen the merits of his complaint under 28 U.S.C. § 1915(e)(2).

ORDER

IT IS ORDERED that petitioner may have until August 7, 2008, in which to submit a trust fund account statement for the period beginning approximately January 14, 2008 and ending approximately July 14, 2008. If, by August 7, 2008, petitioner fails to respond to this order, I will assume that he wishes to withdraw this action voluntarily and, in that case, the clerk of court is directed to close this file without prejudice to petitioner's filing his case at a later date.

Entered this 16<sup>th</sup> day of July, 2008.

BY THE COURT:

/s/

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BARBARA B. CRABB  
District Judge